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JEFFREY KOTYK

Kingship and Elite Values in the Buddhist Mahāsāṃghika Vinaya

Introduction

This study is an examination and discussion of kingship and elite values as they are presented in the Mahāsāṃghika Vinaya. As Clarke explains, the Indic word *vinaya* "refers to the body of teachings concerning monastic discipline or law attributed to the historical Buddha. In theory each ordination lineage or school possessed its own Vinaya."[1] Vinaya literature is as canonical as sūtras (if we use the Tripiṭaka as representative of the Buddhist canon, which includes the *sūtra-piṭaka*, *vinaya-piṭaka*, and *abhidharma-piṭaka*), but modern Buddhists and even secular scholars often avoid reading the Vinaya, either out of disinterest or inaccessibility (for example, an absence of translations). Anyone interested in philosophy or meditation will not find much of interest in the Vinaya. The Vinaya addresses day-to-day activities and behavioral expectations of the sangha (monastic community), whereas sūtras generally deal with abstract doctrines and practices aimed at liberation from *saṃsāra* (involuntary rebirth). Abhidharma might be understood as "Buddhist scholasticism" that examines and discusses the contents of sūtras, as well as the disputes arising from different interpretations.

The Vinaya handles the organization, procedures, and regulations that govern the sangha, a part of which inevitably must address the authority of the crown and the laws of the realm. Kings certainly feature as diverse figures—either benevolent or evil—in the sūtras, but in the Vinaya, they can be evoked as authorities for how and when to establish a certain rule. In these instances, the sangha or more specifically the Buddha cede authority to a figure outside the sangha, whereas the sūtras arguably attempt to position the Buddha as the supreme and wisest authority in the world. While abstract religious conceptions of holy figures might have been fine for internal consumption and proselytization, the sangha nevertheless still had to live in a society governed by kings and more generally Brahmanical elites, who may or may not have embraced Buddhist values. The Vinaya might be full of fantastical tales, hilarious incidents, and supernatural entities, but in this study, I want to emphasize that the Vinaya clearly acknowledges the suzerainty of kings, and even forms some of its regulations based on what were elite values and/or the contemporary laws of the realm.

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[1] S. CLARKE, "Vinayas", in *Brill's Encyclopedia of Buddhism*, edited by J.A. Silk, Brill, Leiden 2015, p. 60.

This study will discuss a few other matters. First, this study argues that the Mahāsāṃghika Vinaya employs kings as figures in ahistorical tales (or "legal cases") to explain and justify the creation of specific precepts that monks and/or nuns were expected to observe. Although a king is not evoked in every instance, it is still evident that a royal voice or request was sufficient reason for the Buddha to create a new rule in response. Kingship is explicitly defined, valued, and *unchallenged* in the Vinaya, even when the king's acts would constitute negative karma. In other words, the Vinaya gives a pass to the king when he does the "dirty work" of ruling the realm. The Mahāsāṃghika Vinaya also often expects that not only will the king possess absolutist authority over all his subordinates and subjects, but that he will also use his position to safeguard and protect the sangha.

Further, I believe that we can glean some actual conventions of royal law as it existed in the environments in which the Mahāsāṃghika Vinaya was compiled and written. Based on this, we can conclude that the Mahāsāṃghika—or at least the jurists connected with the Vinaya—were conscious of Brahmanical law codes[2]. They subsequently had to navigate around a non-Buddhist system of social control, but they also attempted to position the sangha—at least in theory—as an entity separate from mainstream society, while also adhering to many demanding—predominately aristocratic—norms that were arguably unnecessary according to Buddhist doctrine, especially dietary restrictions. At the same time, we can observe a disregard for plebeian interests. Instead, the sangha tried to position itself on favorable terms with the elites. Vinaya authors catered to "householders," but this did not include *all* householders. Drawing on a recent discussion by Witkowski, these patrons were clearly Brahmanical elites and their close allies (e.g., the *kṣatriya*s), who were chiefly concerned with ritual purity, rather than the commonfolk, much less the outcastes. Despite the theoretical potential for all men and women to be liberated from *saṃsāra* and then become arhats, the Vinaya is primarily concerned with powerful men

[2] We should emphasize that Vinaya texts (like any other Buddhist text) were not necessarily widely read or understood by Buddhists in India, hence we cannot assume that the values and conventions described in the Mahāsāṃghika Vinaya, for example, were universally understood or observed by all monastics and laypeople, even within the Mahāsāṃghika school. In fact, as Schopen has discussed, archaeological evidence would indicate that the lived religion of Buddhism was different from what is formally prescribed in canonical literature. In evaluating earlier scholars who fail to account for archaeological evidence, Schopen notes "the possibility that the texts we are to study to arrive at a knowledge of 'Buddhism' may not even have been known to the vast majority of practicing Buddhists—both monks and lay. It is axiomatically assumed that they not only were known but were also important, not only were 'read,' but were also fully implemented in actual practice." G. SCHOPEN, "Archaeology and Protestant Presuppositions in the Study of Indian Buddhism," *History of Religions*, vol. 31, no. 1, 1991, pp. 4–5.

and the value they place on purity.[3] The Buddha is framed as the supreme and unchallenged lawgiver, but the Vinaya does not seek to overthrow the king or upset the social order, much less launch a social revolution. Instead, the Vinaya positions the sangha in subservient roles to the throne while tacitly expecting special privileges and exemptions, all the while receiving the grace of elite patrons. In short, the Mahāsāṃghika Vinaya idealizes kings as absolute monarchs with strong sympathies for the Buddhist institution.

Historical Background

As the title indicates, the Mahāsāṃghika Vinaya is the monastic code (Vinaya) of the Mahāsāṃghika school of Indian Buddhism. Each school generally had its own Vinaya, with the number of precepts and narratives differing between them. A Vinaya contains precepts and procedures for the monastic community (sangha) to follow. The core part of the literature includes narratives of the Buddha and community that describe troublesome incidents among monastics. These stories are then followed by the Buddha establishing new precepts (laws) to prevent such problems from recurring. Clarke notes that "only six seemingly complete Vinayas have come down to us, belonging to schools (*nikāya*s) from both sides of the so-called great schism in Buddhist history purportedly a century or so after the Buddha's death."[4] The Mahāsāṃghika Vinaya is especially significant because even in antiquity it was held to be the oldest version, a point that is confirmed by modern scholars.[5] This does not imply, however, that the Mahāsāṃghika Vinaya reflects historical events and an ecclesiastical model established by the Buddha; rather, it was held to be the earliest recension of monastic codes and modern scholarship appears to confirm this (bearing in mind that today we have the Chinese translation).

Although Buddhists themselves believed that the events described in the Vinaya really happened as they are described, from a more critical point of view, their objective historicity is doubtful for a number of reasons. For instance, we have no sources

[3] N. WITKOWSKI, "Interpreting Brahmanization in the Indian Buddhist Monastery with J. Z. Smith," in *Thinking with J. Z. Smith - Mapping Methods in the Study of Religion*, edited by B. Krawcowicz, Equinox eBooks Publishing, Sheffield 2023, p. 130.

[4] Clarke continues, "one is a Vinaya belonging to the Mahāsāṅghikas ("Majority"; with significant sections from an offshoot school, the Mahāsāṅghika-Lokottaravādins), and five stems from the branch known as the Sthaviras ("Elders"): (1) Theravāda (Mahāvihāra), (2) Dharmaguptaka, (3) Mahīśāsaka, (4) Sarvāstivāda, and (5) Mūlasarvāstivāda. In addition, we have some materials from the Kāśyapīya and Sāṃmitīya.
As for the Vinayas of schools whose literatures have not survived, little can be said." Clarke, "Vinayas," p. 60.

[5] J.J. NATTIER and C.S. Prebish, "Mahāsāṃghika Origins: The Beginnings of Buddhist Sectarianism", *History of Religions*, vol. 16, no. 3, 1977, pp. 267–270.

contemporaneous with the "historical Buddha," such as inscriptions or artifacts that could offer evidence. More obvious is the fact that the tales in the Vinaya often relate fantastical incidents, such as monks confronting supernatural entities. We also read of the Buddha's disciples engaging in acts of bestiality, necrophilia, and other sordid acts. If we read these stories as objectively historical, then the original sangha in the Buddha's time was apparently full of unhinged lunatics. I do not read any of these stories as objectively historical. Further, whether a "historical Buddha" (i.e, Śākyamuni) ever existed is debatable, a point taken up by David Drewes, who states his position as follows:

> Though there has long been an industry devoted to the production of sensational claims about the Buddha, nothing about him has ever been established as fact, and the standard position in scholarship has long been that he is a figure about whom we know nothing. My only real suggestion is that we make the small shift from speaking of an unknown, contentless Buddha to accepting that we do not have grounds for speaking of a historical Buddha at all. Of course, it is possible that there was some single, actual person behind the nebulous "śramaṇa Gautama" of the early texts, but this is very far from necessarily the case, and even if such a person did exist, we have no idea who he was. There may similarly have been an actual person behind the mythical Agamemnon, homer, or King Arthur; Vyāsa, Vālmīki, Kṛṣṇa, or Rāma, but this does not make it possible to identify them as historical.[6]

I agree with Drewes on this matter: we cannot speak of any historical Buddha. The Vinaya and sūtras (e.g., the Āgamas and Nikāyas, as well as all Mahāyāna and Vajrayāna texts) can only be treated as products of their respective eras and locales. In this sense, although Vinaya literature is not an objective record of the early sangha and the laws credited to the Buddha, it still reflects the values and customs of at least some members of the sangha in the early Common Era. As Gregory Schopen has demonstrated, the Vinaya constitutes a form of Indian literature, complete with literary theory—such as humor—carefully employed by its authors for specific purposes.[7] It is abundantly clear that great attention to detail was exercised in the creation of these texts to satisfy specific values and sensibilities. We would not expect a verbatim record to have been formulated with such conscious conventions.

The Mahāsāṃghika Vinaya—like the other Vinayas of other schools—frequently mentions kings and includes them in the stories that relate how and why certain monastic precepts were established. I believe that we can learn from them something about the expectations and values of Buddhist jurists (i.e., the authors of the Vinaya) and the

[6] D. DREWES, "The Idea of the Historical Buddha", *Journal of the International Association of Buddhist Studies*, vol. 4, 2017, p. 19.
[7] G. SCHOPEN, "The Learned Monk as a Comic Figure: On Reading a Buddhist Vinaya as Indian Literature", *Journal of Indian Philosophy*, vol. 35, no. 3, 2007, pp. 201–226.

environment in which they operated, although determining precisely what era (or eras) these values reflect is challenging, since the history of Buddhist monasticism is unclear. Bronkhorst provides the following data:

> The historical evidence does not allow us to determine with precision when buddhist monks and nuns settled down permanently in monasteries. The first epigraphic evidence for the donation of land to monastic establishments in continental India may date from the first century ce. In Sri Lanka land grants were presumably already given to buddhist monasteries in the latter part of the second century bce, which may not be an unlikely date even for continental India. But whatever its exact date, when this important transition took place, Buddhism became more than ever before dependent upon rich and powerful donors. This in its turn involved it inextricably in political and social issues.[8]

In any case, once Buddhists had settled into permanent monasteries, the concern for royal authority and benefactors would have only grown. By the time the time the Mahāsāṃghika Vinaya was translated into Chinese in the early fifth century, monasticism was already in a mature form in India. Based on this text alone, we cannot confidently propose any dating, although I tentatively assume that the content generally reflects the environment around Magadha in the early centuries of the Common Era.

The Chinese Translation

The Mahāsāṃghika Vinaya is only fully extant as a Classical Chinese translation. A great amount of Indian Buddhist literature was otherwise lost in the original languages (not only Sanskrit, but also Gandhari, Middle Indic, etc.), but we are able to read many of these texts in Chinese. The Mahāsāṃghika Vinaya was translated into Chinese (titled *Mohesengzhi lü* 摩訶僧祇律 in Chinese) in forty fascicles by the monks Buddhabhadra (Fotuobatuoluo 佛陀跋陀羅; 358–429) and Faxian 法顯 (338–423) between 416 and 418.[9] The translation includes an appended note—presumably written by Faxian—that explains the origins of the text in question and the circumstances through which it was transmitted to China, as follows:

> "Postscript to the Mahāsāṃghika Vinaya": in Middle India during ancient times, there was for some time a wicked king who ruled the world. The *śramaṇa*s fled to the four quarters to avoid him. The *bhikṣu*s (monks) [familiar with] the Tripiṭaka were scattered like the stars. The evil king having died, he was replaced with a benevolent king. He invited the *bhikṣu*s to return to the country, so that he could make offerings to them. At the time, in the city of Pāṭaliputra, there were five hundred monks. They sought to decide on matters, but they had no Vinaya Master. Further, they

[8] J. BRONKHORST, *Buddhism in the Shadow of Brahmanism*, Brill, Leiden 2011, p. 19.
[9] CLARKE, "Vinayas," p. 64.

> had neither the Vinaya text nor the inherited cases. They sent a man to Jetavana Vihāra, where he copied the Vinaya, which has been transmitted down to the present. Faxian copied the Sanskrit text at the South Indian Royal Vihāra at the Stūpa of King Aśoka in Pāṭaliputra in the country of Magadha, and then returned to Yangzhou [in China]. In year 12 of Yixi of the Jin Dynasty [416], during the eleventh lunar month, [the translation] commenced at Douchangsi, then being finished in the second lunar month of year 14 [418]. The Sanskrit text was translated into Chinese there with the Meditation Master. It is thus recorded.[10]

Here, Faxian is presumably recording an original story that he had heard in India regarding the origin of the text he had copied. It is instructive that this "wicked king" is not named or dated (e.g., we would expect a certain number of years before or after the Buddha or King Aśoka). The version of the text used by the Mahāsāṃghika school in Pāṭaliputra was traced back to an ambiguous set of circumstances already in the fifth century CE, if not earlier. Although we might speculate about why such an ambiguous cover story was crafted, we can at least see that kings already had a role—either real or imagined—to play in the formation of the Mahāsāṃghika Vinaya itself: a wicked king was responsible for scattering those monks with expertise in the canon, while a benevolent successor requested their return, after which an authoritative copy of the monastic codes was retrieved from Jetavana Vihāra, This narrative only highlights the significance of royal authority to Buddhists. In his travelogue, Faxian also describes the circumstances in which he acquired a copy of the Vinaya:

> Travelling east from the country of Vārāṇasī, I returned to the city of Pāṭaliputra. Faxian originally sought the precepts and Vinaya, but the countries of Northern India all orally transmitted these from teacher to teacher, without any source which could be copied. For this reason, I travelled at a distance to Middle India. It was here at a Mahāyāna *saṃghārāma* (monastery) that I acquired one copy of the Vinaya. This Mahāsāṃghika Vinaya was carried out by the first great assembly when the Buddha was alive. Jetavana Vihāra transmitted that version. The other eighteen schools each have their instructional lineages. They are largely not different, but there are minor differences.[11]

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[10] 「摩訶僧祇律私記」: 中天竺昔時, 暫有惡王御世. 諸沙門避之四奔, 三藏比丘星離. 惡王既死, 更有善王, 還請諸沙門還國供養. 時巴連弗邑有五百僧, 欲斷事而無律師, 又無律文無所承案, 即遣人到祇洹精舍, 寫得律本, 于今傳賞. 法顯於摩竭提國巴連弗邑, 阿育王塔南天王精舍, 寫得梵本還楊州. 以晉義熙十二年歲在丙辰十一月, 於闘場寺出之, 至十四年二月末都訖. 共禪師譯梵本為秦焉, 故記之. *Taishō* 1425, 22: 548a29-b9.

[11] 從彼波羅榇國東行, 還到巴連弗邑. 法顯本求戒律, 而北天竺諸國, 皆師師口傳, 無本可寫. 是以遠涉乃至中天竺, 於此摩訶衍僧伽藍得一部律. 是摩訶僧祇眾律, 佛在世時最初大眾所行也. 於祇洹精舍傳其本.自餘十八部各有師資, 大歸不異, 然小小不同. *Taishō* 2085, 51: 864b16-22. Cf. Li Rongxi trans., *Lives of Great Monks and Nuns*, 202. It is significant that Faxian acquired a written copy of the Vinaya from an expressly Mahāyāna (*Moheyan* 摩訶衍) monastery, whereas the other venues he

The Mahāsāṃghika at the time evidently possessed a certain level of pedigree in India. The text is therefore valuable for our present purpose of examining what kingship meant to Buddhists in an earlier (but certainly not the earliest) form of the religion.

Defining Kingship

Kingship is explicitly defined in the Mahāsāṃghika Vinaya as follows: "Regarding a king: a king is named as *kṣatriya* [or] *brāhmaṇa*, being an elder [or] layman, and having received an office as king."[12] This definition explicitly excludes the other two castes—the *vaiśya* and *śūdra*—from being kings. Although members of the lower castes could become arhats (i.e., awakened beings freed from the cycle of rebirth), Buddhists did not necessarily endorse any sort of egalitarian social order. Based on this definition, the Mahāsāṃghika would, at least in theory, not recognize a king of the *vaiśya* or *śūdra* (let alone *caṇḍāla*) castes as legitimate. This explicit incorporation of caste into the definition of rulership also indicates an already universalistic perception of caste. Moreover, this framework does not anticipate a king from an altogether non-Indian background; for example, a king from a nation without the caste system. The Mahāsāṃghika Vinaya is clearly operating within an "Indo-centric" worldview. We can, however, point to an example in Buddhist literature from around the same period in which a king is said to have hailed from a low-caste background. In the *Śārdūlakarṇāvadāna*, the Buddha speaks of King Triśaṅku or the "King of the Mātaṅga," a *caṇḍāla* king of the Mātaṅga peoples who had lived in the very remote past. This king was versed in all manner of Vedic and mundane sciences, especially astrology.[13] This precedent did not necessitate Buddhist recognition of such kings in the present age. Rather, the idea of a *caṇḍāla* king would have been something fantastical and not part of their present world in the eyes of many contemporary readers. The point of the narrative in the *Śārdūlakarṇāvadāna* is not to recognize kings of the lower castes, but simply to illustrate that such lowborn people could possess the same

visited did not possess written copies. This instance perhaps demonstrates the well-known support for copying scriptures in Mahāyāna, rather than relying strictly on oral transmission.

[12] 王者, 王名剎利, 婆羅門, 長者, 居士, 受職為王. *Taishō* 1425, 22: 244b7-8.

[13] See the relevant passages in the Chinese translations of the text: *Taishō* 1300, 21: 401b22-23; 1301, 21: 411c3-5. The Chinese titles are *Modengjia jing* 摩登伽經 and *Shetoujian Taizi ershiba xiu jing* 舍頭諫太子二十八宿經 respectively. The former apparently dates to around the fifth century despite the traditionally attributed translators, while the former dates to the fourth century. On the dates of these translations, see J. KOTYK, "Iranian Elements in Late-Tang Buddhist Astrology", *Asia Major* 30, no. 1, 2017, 28–29.

level of knowledge as their counterparts in the high castes. In any case, Mahāsāṃghika Vinaya does not express any awareness of such exceptional cases.

The Vinayas of other schools offer a more flexible definition of kingship, even recognizing that women might occupy the position of ruler. The Sarvāstivāda Vinaya (Chn. *Shisong lü* 十誦律; Skt. **Daśa-bhāṇavāra-vinaya*) gives the following definition:

> A king is of the *kṣatriya* caste, himself having received the kingly office and consecrated with auspicious water, being thus named king; also named ruler of the country; also named as the consecrated. If a *brāhmaṇa* [or] layman, or a lady, themselves receive the kingly office, they are also called king, ruler of the country, [or] the consecrated.[14]

The Mūlasarvāstivāda Vinaya (Chn. *Genben shuo yiqieyoubu pinaiye* 根本說一切有部毘奈耶) offers a similar definition, but explicitly recognizes that members of the lower castes can become kings:

> A king is a *kṣatriya*. Whether a *brāhmaṇa*, *vaiśya*, or *śūdra*, all those who have received the consecrated position of a *kṣatriya* king are called kings. If a lady has received the consecrated position, she is also called king.[15]

Such allowances for the lower castes or even women to become rulers perhaps reflects political realities faced by the sangha, in which persons of diverse castes and also women could become monarchs or rulers. Brahmanical law codes would not have permitted this. The *Mānava-Dharmaśāstra* (7.2) does not state that a Brahmin or any low caste can be king; the *kṣatriya* can be king. We read, "A Kṣatriya who has received the vedic consecration according to rule has the obligation to protect this whole world in accordance with the norms." The definition of the king in the Mahāsāṃghika Vinaya notably does not include any sense of deification, a feature that contrasts what we find in the *Mānava-Dharmaśāstra* (7.8):

> "A king, though a mere child, must never be treated with disrespect, thinking he is just a human being; for it is a great deity who stands here in human form."[16]

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[14] 王者, 剎利種, 身受王職, 吉水灌頂, 是名為王, 亦名國主, 亦名灌頂. 若婆羅門, 居士, 若女人,身受王職, 亦名為王, 國主, 灌頂. *Taishō* 1435, 23: 4b5-8.

[15] 若王者謂剎帝利. 若婆羅門, 若薜舍, 若戍達羅, 受剎帝利王灌頂位者, 皆名為王. 若有女人受灌頂位, 亦名為王. *Taishō* 1442, 23: 637b3-6.

[16] See the translation in P. OLIVELLE, *Manu's Code of Law: A Critical Edition of the Mānava-Dharmaśāstra*, Oxford University Press, Oxford 2005, p. 154.

The discrepancies between the Mahāsāṃghika and the Sarvāstivāda recensions are intriguing, but we can also point to an example in another Vinaya in which caste is not a stated factor in the definition of kingship. The Dharmaguptaka Vinaya (Chn. *Si fen lü* 四分律) reads as follows:

> A king has gained sovereignty and is subordinate to no one. A great minister is stationed to the left or right of the king. A Brahmin is one born as a Brahmin. A layman would be of the householders, which excludes the king, great ministers, and Brahmins. A layman's wife is also a householder's lady.[17]

This definition of kingship would leave the position open to anyone. The reason why the Dharmaguptaka Vinaya would define kingship in this way may have stemmed from the geographical position of the Dharmaguptaka tradition. Based on Kharoṣṭhī inscriptions, Richard Salomon has pointed out that the Dharmaguptakas were especially prominent in Afghanistan.[18] This would have been eastern Iran under the domain of the Parthians and later the Sasanians, hence it simply would not have been prudent to define kingship with reference to the Indian caste system. Brahmins as priests were certainly known to the Sasanians in the third century, and some even lived within the borders of the Sasanian empire, but the caste system was not have been applicable to polities outside the Brahmanical sphere.[19] We can speculate that the Dharmaguptaka Vinaya was modified in order to adapt to such an environment. With this possibility in mind, we can also assume that the Mahāsāṃghika Vinaya was also adapted to the land in which it emerged before it was translated into Chinese, which based on Faxian's statements would have been the area of Pāṭaliputra.

[17] 王者, 得自在無所屬. 大臣者, 在王左右. 婆羅門者, 有生婆羅門. 居士者, 除王, 王, 大臣, 婆羅門, 諸在家者是. 居士婦者, 亦在家婦人. *Taishō* 1428, 22: 613b5-8.

[18] R. SALOMON, "A Preliminary Survey of Some Early Buddhist Manuscripts Recently Acquired by the British Library", *Journal of the American Oriental Society*, 117, no. 2, p. 354.

[19] An inscription at Naqsh-I Rustam from the third century CE records the triumphant statements of the Zoroastrian cleric named Kerdīr, who speaks of the destruction of the *šmny* (Skt. *śramaṇa*) and *blmny* (Skt. *brāhmaṇa*). See the translation and transcription of the Pahlavi text in J. BEDUHN, "The Co-formation of the Manichaean and Zoroastrian Religions in Third-Century Iran," *Entangled Religions*, 11, no. 2, 2020, p. 4. It is clear from such hyperbolic remarks that Buddhist monks and Brahmins certainly lived within the borders of the early Sasanian empire, which in turn means that they were also present under the Parthians.

Royal Intercession in Monastic Issues

Turning to the Mahāsāṃghika Vinaya, I want to explore the roles of kings in the formation of specific rules. We find a number of cases in which the king is evoked when explaining the origins of rules. In one instance, Śuddhodana, the father of Śākyamuni, is called upon to specifically ask him to limit the intake of juvenile boys into the sangha.

> With regard to sons: the Buddha was residing in the Śākya monastery at the *nyagrodha* tree in Kapilavastu, as explained above. At that time, there were sons of the House of Śākya, who were ordained into the renunciate life by *bhikṣu*s without having been released by their parents. Later, the parents of the sons had been instructing them; they resentfully said, "When the World Honored One was about to attain the state of a Wheel-Turning Holy King, he would still yet abandon it and go forth into the renunciate life. Could those under our care still not go forth into the renunciate life?" At that time, the Śākya clan went to King Śuddhodana and said, "Great King! Our sons were not released, but the *bhikṣu*s ordained them into the renunciate life. The other laypeople cannot instruct them. Even if they should instruct them, they resent that they went forth into the renunciate life, saying, 'When the World Honored One was about to attain the state of a Wheel-Turning Holy King, he would still yet abandon it and go forth into the renunciate life. Could those under our care still not go forth into the renunciate life?' We request that the Great King beg of the World Honored One, that nobody should be permitted to renounce unless their parents have released them." At that time, King Śuddhodana and the Śākya clan went to the World Honored One, prostrated their faces at his feet in respect and stood to one said. The king said to the Buddha, "World Honored One! The *bhikṣu*s allowed the sons of the Śākya clan to renounce without the parents having released them. Even if the other householders should instruct them, they resent that they went forth into the renunciate life, saying, 'When the World Honored One was about to attain the state of a Wheel-Turning Holy King, he would still yet abandon it and go forth into the renunciate life. Could those under our care still not go forth into the renunciate life?' World Honored One! The parents cherish their children and love them down to the bone marrow. I was also the same way. When the World Honored One renounced, for seven years, there was not a day when I did not weep while sitting, standing, eating, and drinking. I request the World Honored One to restrict the *bhikṣu*s: do not let anyone renounce unless their permits permit it." At that time, the World Honored One appropriately taught the Dharma to Śuddhodana and delighted him, who then prostrated his face at the feet [of the Buddha] before departing. Not long after the king left, the World Honored One went to where the many *bhikṣu*s were, laid out his *niṣīdana* to sit, and explained the above incident to the *bhikṣu*s, The Buddha said, "From today onward, you should not permit anyone to renounce [and become monks] unless their parents have released them."[20]

[20] 兒者, 佛住迦維羅衛國尼拘律樹釋氏精舍, 廣說如上. 爾時釋家童子, 父母不放, 諸比丘度出家. 後諸子輩父母教誨, 瞋恨言:「世尊臨得轉輪聖王, 猶捨出家, 我何所顧戀而不出家?」爾時釋種往白淨王所白言:「大王！我子不放而諸比丘便度出家, 餘在家者不可教誨, 設加教誨, 懷恨出家而言:『世尊臨得轉輪聖王位猶捨出家. 我何所顧戀而不出家?』唯願大王, 從世尊乞, 願父母不放勿

In this case, the issue was that adolescent boys had been admitted into the sangha before their parents had provided them with a complete education and upbringing. Renunciation of the home life and formally becoming a monk—in theory—is a highly meritorious act, so Buddhists would be reluctant to ever outright condemn ordination of anyone who fulfilled the criteria for monkhood. In this instance, however, the dispute was related to the fact that juveniles were still under the guardianship of their parents and required further tutelage. The established rule prevents the sangha from ordaining juvenile novices without the express consent of their parents.

Gautama—who would become the Buddha—never had such consent, but nevertheless he still went forth into the homeless life, much to the despair of his father. Gautama's journey, however, commenced only *after* he was mature enough to take on the lofty position of a Wheel-Turning King (Skt. *Cakravartī-rāja*). As is well known, Gautama abandoned this path to supreme kingship in favor of the pursuit of liberation from *saṃsāra*. In the above narrative, King Śuddhodana was the most obvious character to sympathize with the distraught parents and request that his son—now the Buddha—prohibit ordinations of children without parental consent. The Buddha himself had abandoned kingship, but he was not above receiving requests from a king.

We might imagine that the impetus for the creation of this story was simply that the sangha wanted to avoid unnecessary complaints from mothers and fathers. It became necessary at some point to affirm parental consent to prevent adult monks from prematurely taking on novices, who would have then been under the guardianship of a monastery. In any case, the royal status of Śuddhodana was utilized by the authors to create compelling voice in favor of the new rule. We should also note that Śuddhodana as a king does not establish any royal law pertaining to novices, but instead he humbly requests that the Buddha address the problem. The Vinaya jurists clearly did not want to position the king as having any sort of authority over internal sangha matters, but even if he had, the laws of Śuddhodana would not have extended to other kingdoms. The new rule had to be established by the Buddha for it to become applicable to all monks.

Royal Ministers and the Sangha

The Mahāsāṃghika Vinaya positions ministers as fully subordinate to the king, describing the throne in absolutist terms. The right to inflict punishment is solely in the hands of the king. Overreach by ministers is met with severe consequences. Such an idealized arrangement in the Vinaya is framed as still beneficial to the Buddhist community, since the king affords special protections to monks. We can see how the throne is envisioned in relation to subordinate ministers and the sangha in the following excerpt:

令出家.」爾時白淨王與眾多釋種往世尊所, 頭面禮足却坐一面, 王白佛言:「世尊！諸比丘釋種童子, 父母不放而與出家, 餘在家者設有教誨, 懷恨出家言:『世尊臨得轉輪聖王位, 猶捨出家. 我何所顧戀而不出家?』世尊! 父母念子愛徹骨髓, 我亦曾爾. 世尊出家, 七年之中, 坐起食飲無日不啼. 惟願世尊, 制諸比丘, 父母不聽勿令出家.」爾時世尊為白淨王, 隨順說法發歡喜心, 頭面禮足而退. 王去不久, 世尊往眾多比丘所, 敷尼師壇坐, 具以上事為諸比丘說, 佛言:「從今日後父母不放不應與出家.」*Taishō* 1425, 22: 421a20-b11.

> Regarding royal ministers, the Buddha was residing in the bamboo garden of Kalandaka in the city of Rājagṛha, as explained above. At that time, there were *bhikṣu*s who had ordained a royal minister, having renounced the home life and received the full precepts. An officer witnessed this; he gathered together and apprehended the *bhikṣu*s, sending them to the magistrate. He said, "These *śramaṇa*s illicitly ordained a royal minister." The magistrate said, "Take the *upādhyāya* and break three ribs; take the precept master and pull out his tongue; take someone from each of the ten assemblies and flog them eight times; and punish the one who received the full precepts to the full extent of the law." At that time, many people were escorting [the punished monks] outside the city. King Bimbisāra was then about to visit the World Honored One, when he saw this group of people. The king asked, "Who are these people?" The aforementioned incident was communicated to the king. The king became greatly angered having heard this, and ordered [the monks] to be released: "From today onward, if anyone seeks to ordain, it is permitted that a master may ordain them." The king said, "Summon the magistrate to come!" He came. The king said, "Who is king in this country?" The minister replied, "The Great King [your majesty] is king." It was then asked, "If I am king, why did you not communicate that someone was to be punished for a crime?" The king then ordered that those handling the capture and judgment [of the monks] have their offices and household wealth seized, and their official stores confiscated. The officials did as the king instructed, seizing their offices, appropriating their family wealth, and confiscating their official stores. The *bhikṣu*s then reported these circumstances to the World Honored One. The Buddha said to the *bhikṣu*s, "Where is it that all kings would have faith like this? From today onward, royal ministers are not permitted to renounce [and become ordained monks]."[21]

In this story, we again see that special privileges are supposed to be afforded to the sangha. Although in this instance, the magistrates inflicted violent punishments on the monks, these same officers in turn were condemned for this misstep and subsequently stripped of their offices and wealth by the king. The king was not only upset that his officers acted without reporting the incident to him (the implication is that he was outside the city on a visit to the Buddha) and deferring the matter to him, but he himself had no issues with royal ministers becoming monks. In this context, the expectation is that the king will possess absolutist authority and use it to protect the sangha, even if it means favoring them above his own ministers.

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[21] 王臣者, 佛住王舍城迦蘭陀竹園, 廣說如上. 爾時有比丘度王臣, 出家受具足已. 禁官見已, 合捉比丘送與斷事官所, 作是言：「此沙門私度王臣.」斷事官言:「取和上打三肋折, 取戒師挽舌, 出十眾合, 各與八下鞭, 受具足者極法治罪.」爾時眾多人即衛送出城, 時頻婆娑羅王欲詣世尊, 見此眾人, 王問言:「是何等人?」即以上事具白王. 王聞已大瞋, 即勅令放:「從今日已後欲出家者, 恣聽師度.」王言:「呼斷事官來!」來已王問言:「此國中誰是王?」臣答言:「大王是王.」便問:「若我是王者, 何故不白輒治人罪?」王即勅有司取斷事者, 奪其官位, 家中財物, 沒入官庫. 諸司官即如王教, 奪其官位, 籍其家財, 沒入官庫. 諸比丘以是因緣往白世尊. 佛語比丘:「何處一切王皆信心如是? 從今日後王臣不聽與出家.」*Taishō* 1425, 22: 419c26-420a18.

We might imagine that the goal of these stories in the Vinaya was not *only* to explain why certain rules exist, but also to encourage kings with sympathies for Buddhism to behave in certain ways that categorically protected the sangha and put the interests of the Buddhist community at the forefront. Magistrates—at least in this idealized framework—were not supposed to punish or harm monks at their own initiative. The magistrates also severely overstepped their boundaries by punishing the former minister, now a monk, for illicitly ordaining. The implication here is that he was technically a monk, so secular punishment ought not have been applied to him.

Although we are not reading objective stories of what actually happened, there was likely some factuality behind the image of the king as the sole arbiter of justice. The *Mānava-Dharmaśāstra* (7.17) reads, "Punishment is the king; he is male; he is the leader; he is the ruler; and, tradition tells us, he stands as the surety for the Law with respect to the four orders of life."[22] The authors of the Mahāsāṃghika Vinaya supported a similar if not identical position in which full punitive authority is vested in the king, at least when dealing with commoners (clearly Buddhists expected their monks to receive special immunity).

Administration of Justice

The Mahāsāṃghika Vinaya describes the administration of justice by the king also in cases where excessively violent punishments are carried out, but again we see the narrative implying that monks are not subject to such cruel acts, even when they are as guilty as a commoner who committed the same misdeed. In the section dealing with the prohibitions against sexual acts, it is related that the wife of a man of Ujjayinī had committed adultery with another man. He threatened her with torturous punishment, but she persisted. The man then brought her and the philanderer to the king, requesting that the throne deal with the pair. The king, greatly indignant, ordered that his functionaries amputate their hands and feet, and then abandon them on a burial mound. Afterward, the woman—now with her hands and feet having been amputated—is seen sprawled out on the burial mound by a monk, who then asks her permission to engage in sexual intercourse with her. She consents to the act, despite her wretched condition. Her family then went to see if she was still alive, only to discover that she had recently engaged in intercourse. Her family is outraged at this, asking her who did this to her. She replies that it was a *śramaṇa*, one of the *śākya-putra* 沙門釋子 (a Buddhist monk), who carried out the act. The *bhikṣu* felt regret over the incident and reported it to the Buddha. It is related that the Buddha then asked the monk, "Bhikṣu! Did you not hear my restriction that holds you may not engage

[22] See the translation in OLIVELLE, *Manu's Code of Law*, pp. 154–155.

in sexual acts?" The monk replied, "I am aware of the restriction, but I thought it applied to a fully intact body; just that here the amputee woman is disfigured." The Buddha replied, "Regarding amputation, she is an amputee woman whether it is her left hand and right foot, or right hand and left foot; this is the definition of an amputee woman. It will constitute a *pārājika* if you engage in intercourse with her."[23]

This then was the conclusion of the matter and nothing more is said about it. The monk technically engaged in adultery with the mutilated adulteress, but no punishment was meted out to him, unlike the earlier man who had coupled with the lady. The monk was not even ejected from the sangha (i.e., defrocked), since he was able to argue that he was non-culpable in this instance, based on a technicality of the monastic law at the time that apparently held that sexual intercourse was only constituted if and when the receiving partner was in full possession of their limbs. In this instance, it was necessary for the rule to be extended to cover amputees (in another instance in the text, the rule had to be extended yet again to include fornication with corpses). This story was clearly invented as a means of explaining and justifying all conceivable conditions in which sexual intercourse could occur.

More important to our present discussion is the depiction of the king administering secular law and meting out punishments for the non-monastic adulterers, but when it comes to the monks, it is the Buddha who decides whether anyone is guilty. The act of dismembering the adulterers reflects ancient Indian law. The *Mānava-Dharmaśāstra* (8.352) states that "when men violate the wives of others, the king should disfigure their bodies with punishments that inspire terror and then execute them." It is further stated (8.371), "When a woman, arrogant because of the eminence of her relatives and her feminine qualities, becomes unfaithful to her husband, the king should have her devoured by dogs in a public square frequented by many."[24] Cruel punishments meted out for adultery were normal, but the Mahāsāṃghika Vinaya does not expect that monks would be subject to such laws. Instead, there is a parallel legal system for monks, otherwise we would expect that the monk would have also had his limbs amputated for committing adultery.

In the Vinaya literature, I believe that we can detect an expectation—obvious albeit left unstated—that the king deals with the commoners, while a separate system of rules applies to the sangha. Whether it really worked like this in practice is uncertain, but we can see in the text a system in which two parallel but separate systems of law exist. The sangha—or at least the authors of the Vinaya—were concerned with their own institutional interests, so it would not have been acceptable to frame the king as having any sort of punitive authority over any monk. For instance, if the king amputated the limbs of the offending

[23] *Taishō* 1425, 22: 235a18-b12.
[24] See the translation in OLIVELLE, *Manu's Code of Law*, pp. 186–187.

monk, like he had done with the adulterers, this would have set a precedent that the king can and ought to intervene in the internal affairs of the sangha. In the above instance, however, it is the Buddha—not the king—who lays down the law when the sangha has come into disrepute.

The sangha attempted to position themselves as privileged individuals, not unlike the Brahmins. The *Mānava-Dharmaśāstra* (8.380), for example, states, "The king should never put a Brahmin to death, even if he has committed every sort of crime; he should banish such a Brahmin from his kingdom along with all his property, without causing him hurt."[25] The sangha presumably desired equivalent treatment for their members. The Mahāsāṃghika Vinaya nevertheless expresses an explicit awareness of royal law in the definition of theft. An act of theft by a monastic constitutes a *pārājika*, i.e., an offense requiring their defrocking, but only if the value equals or exceeds a specific value. The Vinaya links this value with what one king deemed sufficient to warrant the death penalty:

> The Buddha said, "Great king governing the country: equivalent to how much cash should theft warrant death? Equivalent to how much cash should theft warrant exile from the country? Equivalent to how much cash should theft warrant corporal punishment?" At that time, King Bimbisāra said to the Buddha, "World Honored One! Nineteen in cash is one *kārśapāṇa*. If one *kārśapāṇa* is divided into four parts, then whether one part is stolen or it is one part in value, the crime should warrant death."[26]

The Buddha then makes an official rule that links the definition of the *pārājika* with the value given by King Bimbisāra:

> The Buddha said to the *bhikṣu*s, "From now on you should know that nineteen in cash is deemed to be one *kārśapāṇa*. If one *kārśapāṇa* is divided into four parts, then whether one part is stolen or it is one part in value, a *pārājika* has been committed."[27]

Although it is not stated, the implication here is that theft over a certain amount in value warrants the death penalty, hence a monk guilty of such an offense is immediately subject to laicization. The text, however, does not explain what happens afterward. Is the former monk then handed over to the king to be executed? A defrocked monk would technically

[25] See the translation in Olivelle, *Manu's Code of Law*, p. 187. Olivelle (p. 39–40) believes that "Śūdra" can often be a code word for non-Brahmanical sects, especially the Buddhist and Jain monks.

[26] 佛告:「大王治國, 盜齊幾錢罪應至死? 盜齊幾錢應驅出國? 盜齊幾錢應用刑罰?」爾時瓶沙王白佛言:「世尊! 以十九錢為一罽利沙槃. 分一罽利沙槃為四分, 若盜一分, 若一分直, 罪應至死.」*Taishō* 1425, 22: 242c19-23.

[27] 佛告諸比丘:「從今當知, 十九故錢名一罽利沙槃, 分一罽利沙槃為四分, 若盜一分, 若一分直, 犯波羅夷.」*Taishō* 1425, 22: 243a4-6.

no longer be under an ecclesiastical authority, having been returned to lay status and therefore not enjoying any sort of legal immunity that he otherwise might have had. Whether King Bimbisāra was a historical figure is uncertain, so we cannot say with confidence that his definition of grand larceny was really *his*, but corporal punishment for theft over a certain amount is certainly attested in Brahmanical law. The *Mānava-Dharmaśāstra* (8.320), for example, states, "A man who steals more than ten Kumbha-measures of grain is subject to corporal punishment; even in lesser cases he should be fined eleven times the amount and made to restitute the property to the owner."[28] The definition of grand larceny in the Vinaya presumably reflects a worldly code of laws known to the authors.

We might imagine that the sangha could not provide protection to any of its members who engaged in serious acts of theft. Minor acts of the theft might not require ejection of the offender from the community, but anyone guilty of what we would call "grand larceny" had to be ejected from the community. In this instance, the sangha would not (and could not) shield their members from the death penalty. In other words, Buddhist law did not imagine or condone a monk being executed by the king, but anyone having already been stripped of their monastic status was now strictly in the realm of worldly law. From a Buddhist point of view, permitting a king to kill a monk would also allow for the king to carry out a grievous act of negative karma. This could be avoided, and the status of the sangha preserved, simply by turning the offender from a monk into a layman. Finally, it is especially noteworthy that the Buddha links a royal proclamation to the conditions for defrocking in the case of theft. In this instance, Buddhists were subordinate to the throne, which indicates that the sangha had to formulate some of their regulations in light of the laws of the realm. Even if one could expect some degree of ecclesiastical immunity, this could only be extended so far.

Dietary Regulations and Elite Values

According to the Mahāsāṃghika Vinaya, monks and nuns are all permitted to eat meat in principle, but there are several restrictions. First, they may not eat any meat given to them if they had "seen, heard, or suspected" (見聞疑) that the animal had been slaughtered for their consumption.[29] The idea here is that a monastic is prohibited from taking life, so they should *not* be an accessory to slaughter, even if only indirectly. The Vinaya further lists ten specific types of flesh that may not be consumed: namely, the flesh of humans, serpents, elephants, horses, dogs, crows, vultures, pigs, monkeys, and lions.[30] There are

[28] See the translation in OLIVELLE, *Manu's Code of Law*, p. 184.
[29] *Taishō* 1425, 22: 486a12-24.
[30] *Taishō* 1425, 22: 487a23-25.

stories that explain why exactly these types of meat became prohibited for the sangha, some of which connect with royal figures. For example, we read about an incident involving elephant meat as follows:

> When the Buddha was residing in Rājagṛha, the elephant of King Bimbisāra died. There were some small-caste *caṇḍāla*s who ate the meat. There were also *bhikṣu*s who ate it. At that time, the elders and youths went to where the Buddha was and prostrated their heads at his feet before standing to one side. They said to the Buddha, "World Honored One! The elephant of King Bimbisāra died. There were some small-castle *caṇḍāla*s who consumed the meat. There were also *bhikṣu*s who consumed it. A *bhikṣu* is one who has renounced the home life, being venerated by people; we ask that the World Honored One to not let them eat elephant meat." The World Honored One accordingly preached the Dharma to the youths, instructing them and providing benefits and joy. They prostrated their heads respectfully at his feet before departing. At that time, the World Honored One went to where the assembly of numerous *bhikṣus* was, set down his *niṣīdana* (sitting cloth) and sat down. He explained the above matter to the *bhikṣu*s. The Buddha said, "From now on, I do not permit you to eat elephant meat. You may not even eat the bone marrow of an elephant. I permit you to use elephant ivory and bones to make stands for bowls, and fasteners for garments, for which there is no transgression."[31]

This restriction was created to accommodate elite rather than plebeian preferences. In the story above, the monks were presumably offered the meat of the dead elephant by the untouchables, rather than partaking of it at their own initiative. The problem, it would appear, was twofold: first, the monks were eating meat alongside the *caṇḍāla*s, which brought the sangha into disrepute. Nobody else apparently ate the dead elephant, but clearly some hungry monks did not see any issue with eating it. King Bimbisāra also did not eat anything from his dead elephant. Second, the elephant meat itself was considered a taboo food. These sort of sentiments toward specific meats perhaps reflect values regarding certain animals professed also in Brahmanical law. The *Mānava-Dharmaśāstra* (12.43) reads, "Elephants, horses, Śūdras, despised foreigners, lions, tigers, and boars—these constitute the middle course related to Darkness."[32] The negative associations with elephants in this context may have influenced how Buddhists approached the meat of said animal.

In the story above, the Buddha prohibited eating elephant meat due to what we could call

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[31] 佛住王舍城時, 瓶沙王象死. 有諸小姓旃陀羅食肉. 諸比丘亦有食者. 時耆舊童子至佛所, 頭面禮足却住一面, 白佛言:「世尊! 瓶沙王象死, 有諸小姓旃陀羅噉肉, 諸比丘亦有噉者. 比丘者, 出家人, 人所敬重, 唯願世尊莫令食象肉.」世尊為童子隨順說法, 示教利喜. 頭面禮足而退. 時世尊往至眾多比丘所, 敷尼師檀坐. 為諸比丘具說上事, 佛言:「從今已後不聽食象肉乃至象髓亦不聽食. 聽以象牙骨作鉢支衣細結無罪.」*Taishō* 1425, 22: 486c27-487a7.

[32] See the translation in OLIVELLE, *Manu's Code of Law*, p. 232.

class consciousness: the sangha was expected to remain on good terms with respectable people. Clearly, nobody cared about the poor *caṇḍāla*s who were forced to eat carrion. The authors of the Vinaya were simply not concerned with fostering any sort of goodwill with socially ostracized, destitute people. In theory, the Buddha in the narrative could have simply pointed out that the elephant had not been killed for the monks, therefore it was a "pure meat" and the sangha could consume it if it was offered to them, but instead the Buddha made the decision to preserve the public image of the community. Buddhists were chiefly concerned with keeping up appearances while catering to the elites. The values of the elites were informed by Brahmanical norms and expectations, rather than anything taught by the Buddha. In this way, the Buddha concedes to heterodox values and, in effect, partially integrates them into his Vinaya. Such concessions by the Vinaya authors were likely necessary in order to sustain long-term relationships with kings and aristocrats, who conceivably would not have wanted to support any sort of institution associated with low-caste behaviors.

Similarly, the Vinaya also prohibits the consumption of garlic, which is reflective of Brahmanical norms. From a strictly Buddhist doctrinal point of view, there ought not be anything wrong with eating garlic, since it is not an intoxicant, but it was still considered unpleasant because its smell was socially disruptive. This approach toward garlic is clear from the following case cited in the Mahāsāṃghika Vinaya:

> Further, the Buddha was residing in Rājagṛha. At that time, the World Honored One was preaching the Dharma to the great assembly. At the time, a *bhikṣu* ate garlic and was sitting downwind, fearing that he might scent the practitioners of pure practices (*brahma-caryā*). The Buddha knew why, but intentionally asked, "Here, what sort of *bhikṣu* sits alone in a place like a quarrelsome man?" The *bhikṣu*s said to the Buddha, "World Honored One! This *bhikṣu* ate garlic. He fears that he will scent the practitioners of pure practices, hence he remains alone downwind." The Buddha said to the *bhikṣu*s, "You should know, when he had not consumed garlic, was this *bhikṣu* not about to lose this sort of sweet dew Dharma?" They replied, "He was not." The Buddha said, "This *bhikṣu* has lost this sort of undying Dharma because he has consumed garlic." The Buddha said, "From now on, I do not permit you to eat garlic."[33]

There was nothing inherently wrong with garlic in this instance; it was just socially awkward to be present in a group of "pure" people, who might have been contaminated by what was considered a foul odor. Although not explicitly mentioned in the Vinaya, the law codes of ancient India prohibited the consumption of garlic. In fact, garlic is the first

[33] 復次佛住王舍城, 爾時世尊為大眾說法. 時有比丘食蒜, 在下風而坐, 畏熏諸梵行人. 佛知而故問:「此是何等比丘, 獨坐一處如鬪諍人?」諸比丘白佛言:「世尊! 是比丘食蒜, 畏熏梵行人, 故在下風獨住.」佛語諸比丘:「當知是比丘若不噉蒜時, 當欲得失如是甘露法不?」答言:「不也.」佛言:「是比丘以食蒜故, 失如是不死之法.」佛言:「從今已後不聽食蒜.」*Taishō* 1425, 22: 483b11-18.

of the forbidden foods listed in the *Mānava-Dharmaśāstra* (5.5): "Garlic, leeks, onions, and mushrooms are foods forbidden to twice-born persons; and so is anything growing in an impure medium." Later in the chapter (5.19), we read, "By eating mushrooms, a village hog, garlic, a village fowl, onion, or leek intentionally, a twice-born falls from his caste."[34] These dietary laws were effectively upheld and enforced by kings, so Buddhists in effect were obliged to follow them, or at the very least not openly offend aristocratic sensibilities regarding food.

Conclusion

This study has discussed kingship and more generally elite values as they are revealed in the Mahāsāṃghika Vinaya. Unlike the sūtras, Vinaya literature is primarily concerned with the mundane affairs of running monasteries, disciplining monastics, and establishing a code of conduct, rather than focusing on liberation or spiritual wisdom. The Vinaya as a body of literature allows us to get a picture of how sanghas interacted with the higher echelons of the social hierarchy. In the present study, we can ascertain to some extent how the Mahāsāṃghika school—or at least some of the jurists associated with it—viewed kings and their relationship to the sangha. We established a few facts from the above discussion.

First, while the Mahāsāṃghika Vinaya expressly defines a king as a *kṣatriya* or Brahmin, this is interestingly not a universal definition across all Vinaya texts. The Sarvāstivāda Vinaya and Mūlasarvāstivāda Vinaya anticipate that a king could come from either caste. The Dharmaguptaka Vinaya does not identify kingship with a caste, which I believe might be explained with reference to the geographical locations of the Dharmaguptaka school, where it was predominate in Afghanistan, i.e., Eastern Iran, where the caste system was irrelevant. There was clearly no single Buddhist definition of kingship, owing to geographical and cultural realities.

Various kings from the lifetime of the Buddha, who are familiar from the sūtras, serve different roles in the Mahāsāṃghika Vinaya, such as requesting the Buddha to establish a rule. The importance of kings is highlighted and there are attempts to position the sangha or even the Buddha above the king in terms of worldly authority. The authority of the kings is framed in absolutist terms: the king's decisions are generally left unchallenged, even when cruel punishments are ordered. Based on what we might read in sūtras, we should expect the Buddha to encourage non-violence or at least some sort of moderate approach to handling criminals, given the negative karma involved in torture and killing, but the jurists were working with different concerns. Instead, the king has free reign over

[34] See the translation in OLIVELLE, *Manu's Code of Law*, p. 138–139.

his subjects, but the Vinaya tacitly expects that monks will receive legal immunity. In short, special privileges are expected for monastics. Further, kings in various narratives avoid directly interfering in internal sangha matters. Still, the sangha reserved the right to defrock a monk, in which we case we can assume that he would have then been subject to royal laws and punishments.

Finally, a number of Brahmanical values are apparent throughout the Mahāsāṃghika Vinaya, especially when we point to common parallels in the *Mānava-Dharmaśāstra*. This is illustrated by dietary restrictions, such as those related to garlic and forbidden meats. Buddhists clearly attempted to align themselves with elite values. Plebeian concerns, in contrast, were immaterial and not obviously considered in the content we surveyed above.